

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ISAIAH THOMPSON-BONILLA,

No. C 05-1350 SI (pr)

Petitioner,

**ORDER DENYING CERTIFICATE
OF APPEALABILITY**

v.


JOHN MARSHALL,

Respondent.

Petitioner filed a notice of appeal and an application for a certificate of appealability. See 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). The application for a certificate of appealability is DENIED because petitioner has not demonstrated that "jurists of reason would find the district court's assessment of the constitutional claims debatable or wrong." Slack v. McDaniel, 529 U.S. 473, 484 (2000). (Docket # 38.) The clerk shall forward to the court of appeals the case file with this order. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

IT IS SO ORDERED.

DATED: December 1, 2008



SUSAN ILLSTON
United States District Judge